THE HON'BLE MR. JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.26793 of 2007

Date:20.12.2007

Between:
Korada Prasada Rao.

… Petitioner

AND
The Government of Andhra Pradesh,
represented by the District Collector,
Srikakulam District, Srikakulam and two others.

… Respondents

Counsel for the petitioners: Sri P.Krishna Prakash

Counsel for the respondents: Asst. Govt. Pleader for Land Acquisition.

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THE HON'BLE MR.JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.26793 of 2007

ORDER:-

This Writ Petition is filed for a Writ of Mandamus to declare the action of the respondents in changing the alignment of Vamsadhara Canal, resulting in affecting the petitioner's land admeasuring Ac.1.20 cents situated in Survey No.106/6 and 106/7 situated in Satiwada village, Gara Mandal, Srikakulam District, as illegal. The petitioner also sought for a consequential direction to the respondents to adhere to the original alignment/plan.

On 14-12-2007 the learned Assistant Government Pleader for Land Acquisition took time to get instructions. Today, at the hearing, he submitted that no part of the land belonging to the petitioner is being used by the respondents in connection with Vamsadhara canal work. He further stated that if the petitioner's land, situated in Survey Nos.106/6 and 106/7 is required, they will follow the due process of law before using the same for the said purpose.

The above statement of the learned Assistant Government Pleader for Land Acquisition is recorded and the Writ Petition is dismissed as infructuous with liberty to the petitioner to avail his remedy in the event the respondents seek to utilize any part of his land without initiating the proceedings under the Land Acquisition Act, 1894.

C.V.NAGARJUNA

REDDY,J
20-12-2007

MNR